IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

JUDGES ORDER NO.372 OF 2006
IN
SUIT NO.468 OF 1999

I.C.I.C.I. Ltd., ..Plaintiffs

Versus

Jayant Vitamins Ltd., & Ors. ..Defendants

Mr.Sanjay Jain with Mr.Sanjay Kotak i/by M/s.Purnanand & Co. for defendant no.7.

Mr.Prakash Shinde i/by M.Dhruva & Co. for defendant no.6.

Ms.Swati Deshpande with Ms.Rushvi N.Shah i/by M.S.Bodhanwalla & Co. for defendant no.2.

Mr.Kevic Setalvad i/by Tyabji Dayabhai & Co. for Daichid Karkaria for intervenor.

Mr.F.Sayyed i/by M.K.Ambalal & co. for plaintiffs.

Mr.C.D.Patel for defendant no.1.

Coram : R.S.Mohite,J

Date : 4.10.2006.

PC

1. Advocate Shri Kevic Setalvad appears on behalf of Daiichi Kerkare & Co., who holds a decree against the present defendant no.7 & submits that if the properties as per the Exhibit-F to the Judges order are attached by the Court Receiver, then the Court Receiver should hold the said properties for 2 weeks. Advocate for defendant no.7 states that he will not sell the plant and machinery which may be given to him by the Court Receiver for a period of 2

weeks from the date of receipt of the same. In fact, the remedy of the party who wishes to intervene is to file execution proceeding and obtain order. Hence, Judges order is signed separately. It is made clear that this order will not come in the way of D.R.A.T. in passing any order in any appeal which may have filed by defendant no.2.

(R.S.Mohite,J)